

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re Applications of

WHITE BROADCASTING PARTNERSHIP
et al.

) MM Docket No. 91-10
)
) File No. BPH-891214MM
)

For Construction Permit for a New FM Station
Station on Channel 289A in Baldwin, Florida

To: Hon. Edward Luton, Administrative Law Judge

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DEC - 4 1991

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

SUPPLEMENT TO JOINT PETITION
FOR APPROVAL OF SETTLEMENT AGREEMENT

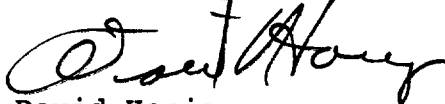
Peaches Broadcasting, Ltd. ("Peaches"), Charley Cecil White and Dianna White d/b/a White Broadcasting Partnership ("White"), Douglas Johnson ("Johnson"), JEM Broadcasting, Limited Partnership ("JEM") and Northeast Florida Broadcasting Corp. ("NEF") (collectively, "Movants") respectfully supplement their November 8, 1991 "Joint Petition for Approval of Settlement Agreement" ("Joint Petition"). If leave to file this Supplement is required, the same is respectfully requested.

On November 21, 1991, the Bureau filed an Opposition to the Joint Petition. In its Opposition, the Bureau expressed its view that White, Johnson, JEM and NEF had not fully described the nature of their legal and/or engineering expenses and their connection with the comparative proceeding. Bureau Opposition at 2.

This Supplement is intended to be fully responsive to the Bureau's objections. Appended hereto as Exhibits 1-4 are more fully descriptive supplemental materials from White, Johnson, JEM and NEF.

For the reasons set out therein, the Joint Petition and the relief sought therein should now be granted.

Respectfully submitted,



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December 4, 1991

EXHIBIT 1

SERVICES RENDERED
ACCOUNT 15111.00

DATE	DESCRIPTION OF SERVICES	TIME SPENT	HOUR RATE	CHARGE
11/01/89				
	DBM Telcon w/RGA and Charley White re: new FM application; letter to Whites w/301, How to Apply for FM Station and draft financial letter.	1.60	105.00	168.00
	RGA Telcon w/Charley White re: Baldwin application; conf. w/DBM re: financial reasonable assurance.	1.00	140.00	140.00
11/03/89				
	RGA Research cut-off list for AM applications; letter to client re: WXTL major change.	0.30	140.00	42.00

15111.00 ACCOUNT SERVICES TOTAL \$ 350.00

SERVICES RENDERED
ACCOUNT 15111.00

DATE	WHO	DESCRIPTION OF SERVICES	TIME SPENT	HOUR RATE	CHARGE
11/27/89		DBM Telcon to Charles & Dianna White & RGA re: finance letter, antenna site, Enuton	0.60	105.00	63.00
12/05/89		DBM Telcon Dianna White re: financing questions	0.20	105.00	21.00
12/07/89		DBM Prep. Partnership Agreement; letter to Whites w/copy same by Fed Ex; telcon Ray Stype re: changes in name	1.80	105.00	189.00
12/11/89		DBM Review and revise White Appl.; telcon Whites re: application	0.90	105.00	94.50
12/12/89		DBM Telcon Dianna White re: receipt application	0.20	105.00	21.00
		DBM Review Engineering	0.30	105.00	31.50
12/14/89		DBM Revise and file Baldwin applications	1.00	105.00	105.00
		DBM Draft Public Notice for Baldwin	0.30	105.00	31.50
12/15/89		DBM Letter to Whites w/copies application and instructions for public file and public notice			

0.50 105.00 52.50

DBM Telcon Dianna White

0.10 105.00 10.50

12/21/89

DBM Telcon Whites, left message

0.10 105.00 10.50

15111.00 ACCOUNT SERVICES TOTAL \$ 630.00

SERVICES RENDERED
ACCOUNT 15111.00

DATE	DESCRIPTION OF SERVICES	TIME SPENT	HOUR RATE	CHARGE
01/19/90	DBM Review digests for Baldwin applications; letter to White re: applications	0.40	105.00	42.00
12/28/89	DBM Telcon Dianna White re: public notice, public file, competing applicants	0.20	105.00	21.00

15111.00 ACCOUNT SERVICES TOTAL \$ 63.00

SERVICES RENDERED
ACCOUNT 15111.00

DATE		TIME	HOUR	
WHO	DESCRIPTION OF SERVICES	SPENT	RATE	CHARGE
02/28/90	DBM Telcon w/Charlie White re: Alachua application/ dismissal	0.40	105.00	42.00

15111.00 ACCOUNT SERVICES TOTAL \$ 42.00

SERVICES RENDERED
ACCOUNT 15111.00

DATE WHO	DESCRIPTION OF SERVICES	TIME SPENT	HOUR RATE	CHARGE
03/29/90	DBM Letter to Charlie and Dianna White re: accept. tender	0.20	105.00	21.00
04/10/90	DBM Telcon Charley White re: Integration Statement	0.60	105.00	63.00
04/17/90	DBM Telcon Dianna White re: Integration Statement	0.40	105.00	42.00
04/18/90	DBM Draft Integration Statement and letter w/ amendment to Whites	1.00	105.00	105.00
04/20/90	DBM Prepare Amendment for filing	0.50	105.00	52.50

15111.00 ACCOUNT SERVICES TOTAL \$ 283.50

SERVICES RENDERED
ACCOUNT 15111.00

DATE	DESCRIPTION OF SERVICES	TIME SPENT	HOUR RATE	CHARGE
05/11/90	DBM Letter to Whites re: acceptance for filing	0.50	105.00	52.50
05/25/90	DBM Telcon Charley White re: tower deal and Greg Perich; Petition to Deny v. Jem Productions	0.50	105.00	52.50

15111.00 ACCOUNT SERVICES TOTAL \$ 105.00

SERVICES RENDERED
ACCOUNT 15111.00

DATE	WHO	DESCRIPTION OF SERVICES	TIME SPENT	HOUR RATE	CHARGE
05/31/90		DBM Telcon Charlie White re: Petition to Deny	0.10	105.00	10.50

15111.00 ACCOUNT SERVICES TOTAL \$ 10.50

SERVICES RENDERED
ACCOUNT 15111.00

DATE	WHO	DESCRIPTION OF SERVICES	TIME SPENT	HOUR RATE	CHARGE
07/11/90					
	DBM	Telcon FCC re: Hearings on 23rd, 24th; draft letter to Whites w/info	0.60	105.00	63.00
	DBM	Telcon Charley White re: visit on the 23rd	0.80	105.00	84.00
07/12/90					
	DBM	Letter to Charley & Dianna White re: trip to D.C. w/instructions for sitting in on Hearings	0.60	105.00	63.00

15111.00 ACCOUNT SERVICES TOTAL \$ 210.00

SERVICES RENDERED
ACCOUNT 15111.00

DATE		TIME	HOUR	
WHO	DESCRIPTION OF SERVICES	SPENT	RATE	CHARGE
08/02/90	DBM Telcon Charlie White re: visit to DC; personnel problems w/Greg Perich; future visit to DC	0.50	105.00	52.50

15111.00 ACCOUNT SERVICES TOTAL \$ 52.50

SERVICES RENDERED
ACCOUNT 15111.00

DATE	DESCRIPTION OF SERVICES	TIME SPENT	HOUR RATE	CHARGE
09/20/90	DBM Telcon Charlie White re: possible purchase of Jacksonville AM station; situation at WJXR	0.60	105.00	63.00
	DBM Draft letter to Charlie White w/draft letter of intent to purchase	0.30	105.00	31.50

15111.00 ACCOUNT SERVICES TOTAL \$ 94.50

SERVICES RENDERED
ACCOUNT 15111.00

DATE		TIME	HOUR	
WHO	DESCRIPTION OF SERVICES	SPENT	RATE	CHARGE
10/04/90	DBM Telcon Roy Stype re: applications to order for Baldwin application re: FAA EMI problem	0.30	105.00	31.50
10/05/90	DBM Telcons FM Branch FCC re: Jacksonville applications; telcon ITS order applications for Roy Stype	0.40	105.00	42.00
10/15/90	DBM Letter to Roy Stype w/applications re: FAA problem in Baldwin application	0.30	105.00	31.50

15111.00 ACCOUNT SERVICES TOTAL \$ 105.00

SERVICES RENDERED
ACCOUNT 15111.00

DATE	WHO	DESCRIPTION OF SERVICES	TIME SPENT	HOUR RATE	CHARGE
11/05/90		DBM Telcon Roy Stype re: EMI problem w/Baldwin, Fla.	0.10	105.00	10.50

15111.00 ACCOUNT SERVICES TOTAL \$ 10.50

SERVICES RENDERED
ACCOUNT 15111.00

DATE		TIME	HOUR	
WHO	DESCRIPTION OF SERVICES	SPENT	RATE	CHARGE
01/09/91	DBM Letter to Charley & Diana White re: payment of Hearing Fee by March 15, 1991	0.50	105.00	52.50

15111.00 ACCOUNT SERVICES TOTAL \$ 52.50

SERVICES RENDERED
ACCOUNT 15111.00

DATE WHO	DESCRIPTION OF SERVICES	TIME SPENT	HOUR RATE	CHARGE
02/20/91	DBM Draft Public Notice HDO - telco FCC re: Judge, Hearing Date	0.30	125.00	37.50
02/21/91	DBM Prepare Notice of Appearance	0.50	125.00	62.50
	DBM Draft Notice of Appearance	1.00	125.00	125.00
02/22/91	DBM Review competing applications for analysis	0.50	125.00	62.50
02/25/91	DBM Review competing applications & analysis	1.00	125.00	125.00

15111.00 ACCOUNT SERVICES TOTAL \$ 412.50

SERVICES RENDERED
ACCOUNT 15111.00

DATE	DESCRIPTION OF SERVICES	TIME SPENT	HOUR RATE	CHARGE
02/14/91				
	DBM Telco Charley White re: designation for Hearing; payment of Hearing Fee; Notice of Appearance; Public Notice HDO	0.20	140.00	28.00
	DBM Draft ltr to Charley re: HDO, dates for Notice of appearance, fee filing; upcoming procedural items; request for additional retainer funds for trust account	0.40	140.00	56.00
03/12/91				
	DBM Telco Charley White re: Boyd site, no resignation from WJXR, discrepancy in file numbers	0.40	140.00	56.00
03/13/91				
	DBM Review Johnson Petition for Summary Decision; send copies to John Allen, Roy Stype	0.40	140.00	56.00
03/15/91				
	DBM Telco Charley White re: applicants, and FAA	0.10	140.00	14.00
03/18/91				
	DBM Telco Paulette Laden, Hearing Branch, re: support for summary decision motions to eliminate FAA EMI issues. Telco Larry Eads, Audio Services, re: issuance of conditional CP's	0.40	140.00	56.00
	DBM Telco Charley White re:EMI issue; site suitability for WCJR; site availability/suitability for Boyd; service area residence for Northeast; comparative standing for White	0.40	140.00	56.00

03/21/91

DBM Draft Motion for Summary Decision; prepare for
filing

1.50 140.00 210.00

15111.00 ACCOUNT SERVICES TOTAL \$ 532.00

SERVICES RENDERED
ACCOUNT 15111.00

DATE	WHO	DESCRIPTION OF SERVICES	TIME SPENT	HOUR RATE	CHARGE
04/08/91	EAB	Review & ltr to Mr. & Mrs. White re: Mass Media Bureau's Comments in Support of Motion for Summary Decision	0.20	50.00	10.00
04/19/91	EAB	Review & corres to the Whites re: the judge's "Memorandum Opinion & Order" granting the Whites Motion for Summary Decision	0.10	50.00	5.00
04/24/91	LDY	Review case file & prepare for pre-hearing conf; handle pre-hearing conf; conf among attorneys re: future procedural dates; prepare memo re: same prepare Stipulation for Production of Documents; letter to White reporting on Pre-hearing conf.	4.00	125.00	500.00
04/26/91	LDY	Prepare Stipulation for Production of Documents	1.00	125.00	125.00
04/30/91	LDY	Telcon w/Belendiuk, Honig & Winston re:stipulation for Production of Documents	1.50	125.00	187.50
15111.00 ACCOUNT SERVICES TOTAL \$			827.50		

SERVICES RENDERED
ACCOUNT 15111.00

DATE	DESCRIPTION OF SERVICES	TIME SPENT	HOUR RATE	CHARGE
05/01/91	DBM Preparation Proof of Publication for filing w/FCC	0.80	140.00	112.00
	LDY Prep Stipulation for Production of Documentation; telconf w/Belendiuk re: same; conf w/DBM re: same	0.30	125.00	37.50
05/02/91	DBM Revise Stipulation for Document Production; telco Art Belendiuk re: reservations regarding production; adjustment of Stipulation; further revisions pursuant to fax from Honig; fax to Honig telco Honig re: problems w/Stipulation	2.00	140.00	280.00
05/03/91	DBM Preparation of Stipulation for filing; telco Halagao, Belendiuk re: signatures for stipulation	0.40	140.00	56.00
	DBM Preparation Integration Statement for White's review; draft letter to Charley & Dianna w/copies Stipulation and Integration Statement	1.20	140.00	168.00
05/07/91	DBM Telco Charley White re: Integration Statement; current situation at Station	0.80	140.00	112.00
05/08/91	DBM Telco Charley re: integration statement; Peaches material	0.50	140.00	70.00
	EAB Corres. to the White's re: Integration and Statement			

	0.20	50.00	10.00
05/09/91			
EAB Begin Motion to Enlarge Issues Against Peaches	1.00	50.00	50.00
05/10/91			
DBM Prepare Diversification & Integration Statement for filing w/FCC	0.60	140.00	84.00
DBM Review documents for document production; tag documents; review privileged documents list, revise	1.00	140.00	140.00
EAB Corres. to the White's re: the filing of their Integration and Diversification Statement	0.20	50.00	10.00
EAB Preparation of Priviledged Document list for Document Production	0.50	50.00	25.00
05/13/91			
DBM Draft Opposition to Petition for Leave to Amend; research; revise, proof, prepare for filing	4.00	140.00	560.00
DBM Review JEM Petition for Leave to Amend; review Johnson Integration Statement	0.50	140.00	70.00
EAB Preparation of Documents for Document Production	0.75	50.00	37.50
EAB Work on Motion to Enlarge Issues against Peaches	2.00	50.00	100.00
05/14/91			
DBM Prepare Opposition too Petition for Leave to Amend for filing	0.60	140.00	84.00
EAB Corres. to the Whites re: Integration and Diversification Statements for D. Johnson and JEM	0.20	50.00	10.00
EAB Research for Motion to Enlarge Issues Against			

Peaches

4.00 50.00 200.00

05/15/91

LA Review, redact documents; review privileged list;
draft cover memo; draft cover letter to Art
Belendiuk

1.50 140.00 210.00

DBM Revise Motion to Enlarge Issues against Peaches

2.00 140.00 280.00

DBM Telcon Charley White re: JEM amendment, other
competing applicants, plans for depositions

0.30 140.00 42.00

DBM Telcon Florida Times-Union re: Peaches Public
Notice

0.30 140.00 42.00

EAB Preparation of Document Production for Friday

1.00 50.00 50.00

EAB Work on Motion to Enlarge Issues Against Peaches

1.00 50.00 50.00

05/17/91

EAB Corres. to the White's re: Northeast's
Integration and Diversification Statement and
Document Production

0.20 50.00 10.00

05/20/91

DBM Travel to & from D.C. for Settlement Meeting;
Settlement meeting & discussion w/counsel for
Northeast, Jem, Peaches, Johnson (10 - 11:45 a.m.)

3.00 140.00 420.00

DBM Telco Charley White re: settlement meeting,
settlement strategy, etc.

0.80 140.00 112.00

DBM Telco David Honig re: Petition for Leave to Amend
correction

0.10 140.00 14.00

05/21/91

DBM Final draft Motion to Enlarge Issues against

Peaches; revise, proof, prepare for filing	2.50 140.00	350.00
DBM Telco Art Belendiuk re: settlement	0.30 140.00	42.00
DBM Telco Jim Winston re: deposition schedule	0.10 140.00	14.00
DBM Telco Charley re: travel plans for depositions	0.10 140.00	14.00
DBM Draft Motion to Enlarge Issues against JEM	1.50 140.00	210.00
05/22/91		
DBM Draft Motion to Enlarge against JEM	0.50 140.00	70.00
05/23/91		
DBM Draft Motion to Enlarge against JEM	3.40 140.00	476.00
05/24/91		
DBM Ltr. to Charley re: deposition schedule, copy of Motion to Enlarge against JEM.	0.50 140.00	70.00
DBM Final Draft, revision, proof, research re: Motion to Enlarge against JEM; prepare for filing w/ FCC	2.50 140.00	350.00
DBM Telco Jim Winston re: deposition schedule.	0.10 140.00	14.00
05/28/91		
DBM Telco Charley re: Public Notice (1st) "The Public and Broadcasting"; check through files for copy of public notice; ltr. to Charley w/ new copy Public and Broadcasting.	0.70 140.00	98.00
05/29/91		
EAB Corres. to the Whites re: an Order from Judge Luton on Peaches Broadcasting Ltd.	0.20 50.00	10.00

15111.00 ACCOUNT SERVICES TOTAL \$5164.00